UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/696,646	10/25/2000	Jouko Tenhunen	442-009870-US(PAR)	3188

2512 7590 07/13/2007 PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824	**EXAMINER** YUN, EUGENE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/696,646	TENHUNEN, JOUKO
	Examiner	Art Unit	
	Eugene Yun	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *25 April 2007*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-38* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-38* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *25 October 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

2.   Claims 1-8, 13-23, 27-32, 34, and 35-38 are rejected under 35 U.S.C.

103(a) as being unpatentable over Smith et al. (US 6,333,973) in view of Bulfer

et al. (US 6,175,858) and Biliris et al. (US 6,047,272).

Referring to Claim 1, Smith teaches a method for erasing a notification

message in a terminal, which terminal communicates with a network over a radio

interface, which method comprises:

storing a specific first information in a specific system outside the terminal

(see col. 7, lines 40-50);

transmitting to the terminal over said radio interface a notification message

as a sign of said storing, said notification message having a specific address

(see col. 7, lines 51-56);

storing said notification message in a memory of the terminal (see col. 9,

lines 6-11); and

contacting from the terminal a specific address for gaining access to said

first information based on said notification message (see col. 7, lines 51-56).

Smith does not teach erasing said notification message in response to a specific procedure relating to said contacting. Bulfer teaches erasing said notification message in response to a specific procedure relating to said contacting (see col. 2, lines 64-67 and col. 3, lines 1-2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Bulfer to said method of Smith in order to better assure that a subscriber of a cellular network receives all waiting messages.

The combination of Smith and Bulfer does not teach the erasing of the notification message from the memory of the terminal. Biliris teaches the erasing of the notification message from the memory of the terminal (see col. 3, lines 45-55 where the terminal is the recipient system). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Biliris to the modified method of Smith and Bulfer in order to better assure that a subscriber of a cellular network receives all waiting messages.

Claims 16 and 30 have similar limitations to Claim 1.

Referring to Claim 2, Smith also teaches the first information to which information said terminal gains access is stored in the specific system outside the terminal, for said terminal (see col. 7, lines 40-50).

Referring to Claims 3 and 18, Smith also teaches the first information as a message intended for the terminal, which is stored for the terminal in an electric format in the specific system outside the terminal (see col. 8, lines 1-10).

Referring to Claims 4 and 19, Smith also teaches the message intended for the terminal as one of the following: voice message; video recording message; multimedia message; fax; and electronic mail message (see col. 7, lines 40-50).

Referring to Claim 5 and 20, Bulfer also teaches said specific procedure in response to which said notification message is erased, is one of the following: initiation of contacting said specific address, establishment of contact; and disconnecting (see col. 2, lines 64-67 and col. 3, lines 1-2).

Referring to Claims 6, 8, and 23, Bulfer also teaches storing in the memory of the terminal said specific number by calling of which the call will connect to said system outside the terminal (see col. 2, lines 52-55);

checking when making a call from the terminal, whether the number which is called is said specific number by comparing the number which is called to said specific number stored in the terminal (see col. 2, lines 59-64); and

if the number which is called is said specific number, identifying from among the messages that originate from said system outside the terminal, and erasing the identified notification messages (see col. 2, lines 64-67 and col. 3, lines 1-2).

Referring to Claims 7, 22 and 32, Bulfer also teaches wherein contacting from the terminal said specific address for gaining access to said first information is effected by making a call from the terminal to a specific number (see col. 2, lines 52-55); and

erasing the notification message is effected in response to one of the following procedures: making a call to said specific number; said specific system outside the terminal answering the call; and terminating off said call (see col. 2, lines 64-67 and col. 3, lines 1-2).

Referring to Claims 13, 27, and 34, Smith also teaches the system outside the terminal is one of the following: voice mail system; video recording message system; multimedia messaging system; fax mailbox service; remote mail service (see col. 7, lines 40-50).

Referring to Claims 14 and 28, Smith also teaches the notification message as one of the following: SMS message; WAP message; and message according a packet switched protocol (see col. 7, lines 51-56).

Referring to Claims 15 and 29, Smith also teaches the terminal as one of the following: telephone of a cellular network; and computer terminal (see fig. 1).

Referring to Claims 17 and 35, Smith also teaches the memory located in one of the following: the terminal itself and a separate memory (see 3400 in fig. 3).

Referring to Claims 21 and 31, Smith also teaches the memory further configured to store concurrently a plurality of notification messages and respective specific addresses (see col. 9, lines 6-11); and the terminal further comprises:

apparatus for determining when contact to any of said specific addresses is made or is being made (see col. 7, lines 51-56); and

apparatus for identifying from among the plurality of notification messages stored in the memory any notification messages corresponding to such a specific address for which the contacting is determined (see col. 8, lines 36-45). Smith does not teach the memory configured to erase any identified notification messages. Bulfer teaches the memory configured to erase any identified notification messages (see col. 2, lines 64-67 and col. 3, lines 1-2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Bulfer to said method of Smith in order to better assure that a subscriber of a cellular network receives all waiting messages.

Referring to Claims 36-38, Smith also teaches said first information as a message intended for the terminal, which is stored for the terminal in an electronic format in the specific system outside the terminal (see col. 7, lines 40-50);

said message intended for terminal as one of the following: voice message; video recording message; multimedia message; fax; and electronic mail message (see col. 7, lines 40-50); and

said notification message of a type selected from group of different types and corresponding to the type message intended for the terminal (see col. 7, lines 51-56).

3.   Claims 9-12, 24-26, and 33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Smith, Bulfer, and Biliris, and further in view of Kaisto (WO

96/25817 "IDS").

Referring to Claims 9 and 24, the combination of Smith, Bulfer, and Biliris

does not teach at least two specific numbers by calling of which the call will

connect to said system outside the terminal. Kaisto also teaches at least two

specific numbers by calling of which the call will connect to said system outside

the terminal (see pg. 11, lines 1-9). Therefore, it would have been obvious to one

of ordinary skill in the art at the time the invention was made to provide the

teachings of Kaisto to the modified method of Smith, Bulfer, and Biliris in order to

ensure a better connection to the outside system from the terminal.

Referring to Claim 10, Kaisto also teaches the identification of notification

messages carried out by comparing the CLI data (Calling Line Identity) of the

messages stored in the memory of the terminal to said specific number stored in

the terminal (see pg. 12, lines 5-8).

Referring to Claim 11, 25, and 33, Kaisto also teaches storing in advance

in the memory of the terminal a reference file, which is for its essential parts

identical to said notification message stored in the memory of the terminal (see

pg. 14, lines 24-35 and pg. 15, lines 1-3); and

said identification of notification messages is carried out by comparing the

content of the messages stored in the memory of the terminal to the content of

said reference message (see pg. 12, lines 25-35 and pg. 13, line 1).

Referring to Claims 12 and 26, Kaisto also teaches said notification message transmitted to and stored in the terminal comprising a message structure and in its message structure, a control bit pattern, which control bit pattern is used for identifying notification messages originating from the system outside the terminal (see pg. 15, lines 4-17).

Response to Arguments

4.   Applicant's arguments filed 4/25/2007 have been fully considered but they are not persuasive.

The applicant argues that the Biliris reference does not teach "the erasing of the notification message from the memory of the terminal". Firstly, the examiner would like to state that the Biliris reference was introduced to simply show that a notification message can be erased from the memory of the terminal itself. Every other limitation is taught by the other two references. The limitation also states "erasing from the memory of the terminal said notification message in response to a specific procedure relating to said contacting". The limitation does not state what the specific procedure is especially considering that the limitation states "a" specific procedure. This means that the arguments stating that the Biliris reference does not teach "automatic deleting" or deleting due to contacting a "specific address" are moot because that is not claimed. Therefore, the erasing of the notification message and be done in response to any procedure, which includes the procedures in the Biliris reference.

The Smith, Bulfer, and Biliris reference are believed by the examiner to be properly combinable because they all teach message retrieval in a communications device. In addition, the combination would benefit the invention greatly since the costs of sending message would be reduced and also the ability to integrate different types of messages is greatly increased.

For the above reasons, the examiner stands by his rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571)272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

Eugene Yun
Examiner
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EY

MATTHEW ANDERSON
SUPERVISORY PATENT EXAMINER